

Ref.: RJIL/OFC/NLD/EAST/UP/SIDDHARTHANAGAR/FOREST/03

Date:- 10.12.2019

सेवा में,

प्रभागीय निदेशक
सामाजिक वानिकी वन प्रभाग,
सिद्धार्थनगर
उत्तर प्रदेश।

विषय: जनपद सिद्धार्थनगर में राज्य मार्ग संख्या - 75 (बेवा - इटवा - डुमरियागंज मार्ग) के कि.मी. 00.00 से कि.मी. 42.00 एवं राष्ट्रीय राजमार्ग सं० - 233 (बस्ती - बांसी मार्ग) के कि.मी. 65.60 से कि.मी. 46.00 तक कुल कि.मी. 61.60 एवं 0.6492 हे० तक मार्गों की बाँयी पटरी के किनारे पर ऑप्टिकल फाइबर केबिल बिछाए जाने हेतु अनुमति प्रदान किए जाने के सम्बन्ध में। (ऑनलाईन प्रस्ताव संख्या : FP/UP/Others/30152/2017 Date 26.03.2018)

सन्दर्भ: 1. आपका पत्रांक सं० 4081/2-6 दिनांक : सिद्धार्थनगर : जून 17 /2019,
2. आपका पत्रांक सं० 1627/2-6 दिनांक : सिद्धार्थनगर : नवम्बर 11 /2019,

महोदय,

उपरोक्त संदर्भित पत्र के क्रम में अवगत कराना है कि प्रस्ताव जिसमें आप द्वारा लगायी गयी कमियों का निराकरण निम्न है:-

क्र० सं०	कागिर्यो	कगिर्यो का निस्तारण
1	प्रस्ताव में आप द्वारा मार्ग के किस पटरी पर ऑप्टिकल फाइबर केबिल डाला जायेगा का उल्लेख नहीं किया गया है।	प्रस्ताव में मार्ग के बाँयी पटरी पर ऑप्टिकल फाइबर केबिल बिछाया जाना प्रस्तावित है।
2	वन अधिकार अधिनियम - 2006 के अन्तर्गत जिले के जिलाधिकारी द्वारा वांछित प्रमाण पत्र संलग्न नहीं किया गया है।	भारत सरकार के शासनादेश सं०- File NO. 11-43/2013-FC दिनांक 26 फरवरी 2019 के अनुसार सामान्य स्वीकृति के लिए वन अधिकार अधिनियम 2006, के अन्तर्गत जिलाधिकारी के प्रमाण - पत्र की आवश्यकता नहीं है (प्रति संलग्न). परन्तु विधिवत स्वीकृति के पूर्व वन अधिकार अधिनियम 2006, के अन्तर्गत जिलाधिकारी के प्रमाण - पत्र जमा करना होगा, जिसके लिए प्रस्ताव में वचनबद्धता संलग्न है।
3	संयुक्त रूप से स्थलीय निरीक्षण करते समय का फोटोग्राफ संलग्न नहीं किया गया।	संयुक्त रूप से स्थलीय निरीक्षण अभी आपके स्तर से लम्बित है।

उपरोक्त कमियों का निस्तारण कर दिया गया है अतः प्रस्ताव को अग्रसित करने की कृपा करे।

सधन्यवाद।

संलग्न:- उपरोक्तानुसार।

भवदीय,
कृते रिलायन्स जियो इन्फोकॉम लिमिटेड
पकेज खर (प्रबन्धक)
रिलायन्स जियो इन्फोकॉम लिमिटेड
लखनऊ
अधिकृत हस्ताक्षरकर्ता

Government of India
Ministry of Environment, Forest and Climate Change
(FC Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj
New Delhi-110003

Dated: 26th February
January, 2019

To,
The Principal Secretary/Secretary (Forests)
All States/UTs Governments

**Sub: Compliance of the Schedule Tribes and Other Traditional Forest Dwellers
(Recognition of Forest Rights) Act, 2006-regarding**

Sir,

I am directed to refer to Forest (Conservation) amendment Rules 2016 as amended on 06th March, 2017 wherein inter-alia it has been provided that:

(e) the District Collector shall

(i) complete the process of recognition and vesting of forest rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) for the entire forest land indicated in the proposal.

(ii) obtain consent of each Gram Sabha having jurisdiction over the whole or a part of the forest land indicated in the proposal for the diversion of such forest land and compensatory and ameliorative measures, if any, having understood the purposes and details of diversion, wherever required; and

(iii) forward his findings in this regard to the Conservator of Forests

(f) the entire process referred to in clause (e) shall be completed by the District Collector within the time period stipulated in these rules for grant of in-principle approval under the Act to the proposal.

(g) the Conservator of Forests shall examine the factual details and feasibility of the proposal, carry out site inspection in case the area of forest land proposed to be diverted is more than forty hectares, and forward the proposal along with his recommendations to the Nodal Office.

I am also directed to refer to references/communications received from various State Governments seeking clarification on whether FRA certificate is to be submitted before Stage-II compliance or it has been submitted along-with proposal for seeking Stage-I approval.

It is clarified that within the time period stipulated for compliance of stage-I

पंकज खन्ना (प्रबन्धक)
रिलायन्स जियो इन्फोकॉम लिमिटेड
लखनऊ

condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to the concerned CF). Hence for the purpose of the MoEF&CC, as per the provision under Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the state Govt. for consideration of the proposal by the ministry for final approval.

In view of the above, the State Governments are requested to adhere the provisions contained in Forest (Conservation) Amendment Rules, 2016 for FRA purpose while forwarding the proposal for seeking prior approval under Section 2 of Forest(Conservation) Act, 1980 to this Ministry for consideration.

Yours faithfully,

(Shrawan Kumar Verma)
Dy. Inspector General of Forests

Copy to:

1. Prime Minister's Office
2. Secretary, Ministry of Mines, Government of India
3. Secretary, Ministry of Coal, Government of India
4. Secretary, Ministry of Petroleum and Natural Gas, Government of India
5. Principal Chief Conservator of Forests, all State/UT Governments
6. Nodal Officer, the Forest (Conservation) Act, 1980, all State/ UT Governments
7. All Regional Offices, Ministry of Environment, Forest and Climate Change (MoEF&CC), GoI.
8. Joint Secretary in-charge, Impact Assessment Division, MoEF&CC, GoI
9. All Assistant Inspector General of Forests/ Directors in the Forest Conservation Division, MoEF&CC, GoI/Director, ROHQ, MoEF&CC, GoI/TO(FC)/TO(ROHQ).
10. Sr. Director (Technical), NIC, MoEF&CC with a request to place a copy of the letter on website of this Ministry.
11. Sr. PPS to the Secretary, MoEF&CC.
12. Sr. PPS to the Director General of Forest & Special Secretary, MoEF&CC, GoI
13. Sr. PPS to the Addl. Director General of Forests (Forest Conservation), MoEF&CC, GoI.

Yours faithfully,

(Shrawan Kumar Verma)
Dy. Inspector General of Forests

पंकज खन्ना (प्रबन्धक)
रिलायन्स जियो इन्फोकॉम लिमिटेड
लखनऊ

o/c

12/13/19